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10 Elon R. Musk, and Deepak Ahuja

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GREGORY WOCHOS, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

TESLA, INC., ELON R. MUSK, DEEPAK  
AHUJA, and JASON WHEELER,

Defendants.

Case No.: 3:17-cv-05828-CRB

**STIPULATION AND [PROPOSED]  
ORDER SETTING BRIEFING  
SCHEDULE AND MODIFYING PAGE  
LIMITS**

Judge: The Honorable Charles R. Breyer

Date Action Filed: October 10, 2017

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1           WHEREAS, this action purports to assert claims under Sections 10(b) and 20(a) of the  
 2 Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder against Tesla, Inc. and  
 3 two of its individual officers (together, “Defendants”);

4           WHEREAS, on August 27, 2018, this Court issued an order dismissing the amended  
 5 complaint and ordering that any amended complaint be filed by September 28, 2018 (Dkt. No.  
 6 42);

7           WHEREAS, on September 28, 2018, Lead Plaintiff filed the Second Amended Complaint,  
 8 which is 81 pages long and contains 314 paragraphs (Dkt. No. 46);

9           WHEREAS, the parties have met and conferred and agreed on a briefing schedule in  
 10 connection with Defendants’ motion to dismiss the Second Amended Complaint;

11          WHEREAS, in light of the length of the Second Amended Complaint, the parties also  
 12 believe good cause exists to modify and increase the page limits set forth in this Court’s standing  
 13 order as follows: motion to dismiss and supporting memorandum (25 pages); opposition (25  
 14 pages); and reply (15 pages);

15          NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the  
 16 approval of the Court, that:

- 17           1. Defendants shall move to dismiss or otherwise respond to the Second Amended  
                   Complaint on or before November 20, 2018;
- 18           2. Lead Plaintiff shall file any opposition thereto on or before January 11, 2019;
- 19           3. Defendants’ reply shall be filed on or before February 15, 2019; and
- 20           4. Consistent with the limits set forth in Civil Local Rule 7-4(b), the page limits for  
                   briefing the motion to dismiss shall be reset, as follows:
  - 22           • Motion to dismiss and supporting memorandum (25 pages);
  - 23           • Opposition (25 pages)
  - 24           • Reply (15 pages);
  - 25           • In accordance with the Court’s standing order, such limits shall be exclusive of  
                   title pages, indexes of cases, table of contents, exhibits, affidavits, and summaries  
                   of argument, if required.

28          ///

1 Dated: October 1, 2018

FENWICK & WEST LLP

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8 Attorneys for Defendants Tesla, Inc.,  
9 Elon R. Musk, and Deepak Ahuja

10 Dated: October 1, 2018

THE ROSEN LAW FIRM, P.A.

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23 Attorneys for Lead Plaintiff Kurt Friedman

24 Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in filing this stipulation.

25 Dated: October 1, 2018

26 By: /s/ Jennifer C. Bretan  
27 Jennifer C. Bretan, Esq.

28 \* \* \*

29 **[PROPOSED] ORDER**

30 PURSUANT TO STIPULATION, IT IS SO ORDERED.

31 Dated: \_\_\_\_\_

32 Hon. Charles R. Breyer  
33 United States District Court Judge